

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 300 – SB 487

April 8, 2011

SUMMARY OF AMENDMENT (004624): Defines “electronic communications service.” Broadens Class A misdemeanor offense of harassment to include electronic communication about another person or transmission of images that may reasonably cause emotional distress. Creates a delinquent act offense, punishable only by a fine of \$100 or 20 hours of community service, for a minor to frighten or cause emotional distress to another person by this means without a legitimate purpose. Exempts an entity providing an electronic communications service to the public acting in the normal course of providing that service. Authorizes law enforcement to access logs and communications on social networking websites. Requires an electronic communications service provider to disclose any logs or communications to any governmental entity that obtains a warrant or court order for such disclosure or has consent of the person who sent, posted, or displayed logs or files on the social network service’s website.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions applied to amendment:

- Creating additional access for law enforcement will not significantly increase state or local law enforcement expenditures.
- There will not be a sufficient number of additional prosecutions due to the broadening of this offense for state or local government to experience any significant increase in revenue or expenditures.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in blue ink, appearing to read "James W. White". The signature is fluid and cursive, with the first name "James" written in a smaller, more compact script than the last name "White".

James W. White, Executive Director

/lsc